P.2020/79

No. 33 of 2020

**Proposition in pursuance of Rule 18 submitted by the Chairman of the Civil Contingencies Authority**

The States are asked to decide whether they are of the opinion to approve the Emergency Powers (Coronavirus) (Control of Events, Gatherings and Meetings) (Bailiwick of Guernsey) Regulations, 2020.

**THE EMERGENCY POWERS (CORONAVIRUS) (CONTROL OF EVENTS, GATHERINGS AND MEETINGS) (BAILIWICK OF GUERNSEY) REGULATIONS, 2020**

In pursuance of section 16 of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, "The Emergency Powers (Coronavirus) (Control of Events, Gatherings and Meetings) (Bailiwick of Guernsey) Regulations, 2020", made by the Civil Contingencies Authority on 24th March, 2020, are intended to be laid before the States on 14th April, 2020. Under that section they will lapse at the end of the period of seven days beginning with the date of laying unless, during that period, a proposition is put before the States to approve them which is not carried, in which case the regulations shall lapse, or the States pass a resolution approving them.

EXPLANATORY NOTE

These Regulations are emergency regulations made by the Civil Contingencies Authority under Part 3 of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012 ("the Law"). They are made on the occurrence of an emergency, within the meaning of the Law, in the Bailiwick, arising from the urgent need to prevent the spread of the virus Severe Acute Respiratory Syndrome Coronavirus (SARS-CoV-2) and the disease caused thereby, COVID-19 (referred to together in these regulations as coronavirus). They are prefaced with a statement by the Civil Contingencies Authority, as required by section 12(2) of the Law.

They enable the Committee *for* Health & Social Care to issue directions imposing conditions, prohibitions, requirements or restrictions in relation to the holding of an event, gathering or meeting between or attended by persons from different households.

These Regulations came into force on the day they were made (namely, 24th March, 2020). Provided they do not lapse or are not revoked earlier, they will remain in force for a period of 30 days from the date they were made.

LAYING OF REGULATIONS MADE UNDER SECTIONS 12 AND 13 OF THE CIVIL CONTINGENCIES (BAILIWICK OF GUERNSEY) LAW, 2012

Section 16 of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012 states:

**Duration and scrutiny of emergency regulations.**

16. (1) Emergency regulations shall be laid before the States as soon as is reasonably practicable after being made.

(2) Emergency regulations shall lapse at the end of the period of seven days beginning with the date of laying, unless during that period –
(a) a proposition is put before the States to approve the regulations which is not carried, in which case the regulations shall lapse immediately, or
(b) the States pass a Resolution approving them.

(3) Emergency regulations which have not lapsed under subsection (2) shall lapse –
(a) at the end of the period of 30 days beginning with the date on which they are made, or
(b) at such earlier time as may be specified in the regulations.

(4) If the States pass a Resolution that emergency regulations shall cease to have effect, the regulations shall cease to have effect –
(a) at such time, after the passing of the Resolution, as may be specified in it, or
(b) if no time is specified in the Resolution, on the passing of the Resolution.

(5) If the States pass a Resolution that emergency regulations shall have effect with a specified amendment, the regulations shall have effect as amended, with effect from –
(a) such time, after the passing of the Resolution, as may be specified in them, or
(b) if no time is specified in the Resolution, at the beginning of the day after that on which the Resolution was passed.

(6) Nothing in this section –
(a) shall prevent the making of new regulations, or

LAYING OF URGENT PROPOSITIONS UNDER RULES OF PROCEDURES FOR THE STATES OF DELIBERATION AND THEIR COMMITTEES

Further, Rule 18 of the Rules of Procedures for the States of Deliberation and their Committees prescribes as follows:

***Urgent propositions***

**18.** A proposition as regards which an immediate decision is necessary or desirable may, with the permission of the Presiding Officer, be submitted to the States on behalf of a Committee or by the Presiding Officer in his or her own right at any Meeting, and may be debated and decided upon, with or without amendment, at that Meeting. Such proposition shall be in writing and shall be headed "Proposition in pursuance of Rule 18 submitted by the [President of the … Committee / Presiding Officer]", and copies thereof shall be delivered beforehand to the Presiding Officer, Her Majesty's Procureur and the President of the Policy & Resources Committee;

Provided that:

(a) if the postponement of the debate, or of the taking of a decision, on the proposition be moved and be supported by not less than one third of the Members voting on the motion, the debate, or the taking of a decision, on the proposition, as the case may be, shall be postponed until a date to be fixed by the Presiding Officer; and

(b) on any such postponement, a motion for the immediate publication or circulation, in such manner as the Presiding Officer shall decide, of all relevant material shall have effect if supported by not less than one third of the Members voting on the motion.